REMARKS

Claims 1-24 are pending in this application.

Claims 1-24 are rejected.

No claims have been amended.

Reconsideration of the claims is respectfully requested.

CLAIM REJECTION UNDER 35 U.S.C. § 103

Claims 1-6 and 13-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0069956 to *Gieseke et al.* ("Gieseke") in view of U.S. Patent No. 7,433,941 to *Lavian et al.* ("Lavian"), and in view of what the Office Action characterizes as Applicants' own Admitted Prior-Art ("AAPA"). Claims 7-12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gieseke in view of AAPA. The Applicants respectfully traverse the rejections.

In *ex parte* examination of patent applications, the Patent Office bears the burden of establishing a *prima facie* case of obviousness. MPEP § 2142, p. 2100-127 (8th ed. rev. 7 July 2008). Absent such a *prima facie* case, the applicant is under no obligation to produce evidence of nonobviousness. *Id.*

To establish a prima facie case of obviousness, three basic criteria must be met: First, there must be some reason – such as a suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art – to modify the reference or to combine reference teachings. MPEP § 2142, pp. 2100-127 to 2100-128 (8th ed. rev. 7 July 2008);

MPEP § 2143, pp. 2100-128 to 2100-139; MPEP § 2143.01, pp. 2100-139 to 2100-141. Second,

there must be a reasonable expectation of success. MPEP § 2143.02, pp. 2100-141 to 2100-142 (8th

ed. rev. 7 July 2008). Finally, the prior art reference (or references when combined) must teach or

suggest all of the claim limitations. MPEP § 2143.02, pp. 2100-141 to 2100-142 (8th ed. rev. 7 July

2008).

Independent Claim 1 recites that "the MIB data structure" generated in the "first object-

oriented telecommunication device" comprises "a method name identifying a method associated with

a target object in the second object-oriented telecommunication device." Claim 1 further recites that

a "first object" in the first object-oriented telecommunication device "is capable of invoking the

method of the target object in the second object-oriented telecommunication device." These features

are not taught or suggested by Gieseke, Lavian, or AAPA, separately or in combination.

The Office Action asserts that Gieseke teaches these features, and cites paragraphs [0011]

and [0059] in support of its assertions. For convenience, these paragraphs are reproduced below:

> [0011] In another embodiment, a method of operating a network element includes
> receiving configuration input data, representing the received configuration input data
> in object instances of a plurality of objects, the plurality of objects forming an object
> model, and responding to requests for configuration information.
>
> [0059] The AttributeMIBMap object class 310 aggregates attributes that map to a
> common MIB table. The AttributeMIBMap object class 310 in one embodiment
> contains a MIB table and provides methods for initialization of the object, computing
> the instance, and processing (data conversion) incoming and outgoing SNMP MIB
> name value pairs. The AttributeMIBMap object class 310 also contains methods to
> perform SNMP sets or gets. The AttributeMIBMap object class 310 contains values
> of the attribute name, MIB name, MIB type, default attribute value, current value, and
> last known value.

On page 3, the Office Action asserts that paragraph [0011] of Gieseke teaches that "the configuration input data is send *[sic]* from the first object-oriented device and received at the second object-oriented device. In responding to the request for configuration information, a method is being invoked in the second object-oriented device." However, there is simply no support for this assertion in paragraph [0011] of Gieseke. Paragraph [0011] simply teaches receiving configuration data, representing the received configuration data in an object model, and responding to requests for configuration information. Paragraph [0011] makes no reference whatsoever to invoking methods between objects that are in different devices. Paragraph [0059] simply discloses a conventional MIB data structure in a single network element. The conventional MIB data structure contains methods to perform conventional SNMP sets and gets. Like paragraph [0011], paragraph [0059] also makes no reference whatsoever to invoking methods between objects that are in different devices.

After first stating on page 3 that Gieseke teaches sending data from a first object-oriented device to a second object-oriented device, the Office Action later concedes (on page 4) that Gieseke does <u>not</u> teach a first device that invokes methods and communicates with a second device. The Office Action then asserts that Lavian teaches a first device that invokes methods and communicates with a second device. However, Lavian merely teaches a conventional system for distributing management of network resources to network devices. *(Lavian, Abstract)*. While Lavian discloses the use of MIB database elements within a single network device, Lavian describes a very conventional method of object-to-object communication between multiple devices using well-known network protocols, such as SNMP. This is analogous to the conventional process described in paragraphs [004]-[007] of the Applicants' disclosure.

Thus, Lavian suffers from the same deficiencies as the conventional process described in paragraphs [004]-[007] of the Applicants' disclosure, such as forcing the object-oriented methods into a restrictive set of SNMP primitives (e.g., set, get, and trap). Lavian does not in any way teach or suggest a MIB data structure in a first object-oriented telecommunication device that includes a method name identifying a method associated with a target object in a second object-oriented telecommunication device. Nor does Lavian teach or suggest that a first object in the first object-oriented telecommunication device is capable of invoking the method from the MIB data structure that is associated with the target object in the second object-oriented telecommunication device.

Furthermore, there is simply no way to combine the conventional teachings of Lavian with the conventional teachings of Gieseke to arrive at a MIB data structure in a first object-oriented telecommunication device that includes a method name identifying a method associated with a target object in a second object-oriented telecommunication device, where a first object in the first object-oriented telecommunication device is capable of invoking the method from the MIB data structure that is associated with the target object in the second object-oriented telecommunication device.

For at least these reasons, Claim 1 is patentable over Gieseke, Lavian, and AAPA, separately or in combination. Independent Claims 7 and 13 recite features analogous to those emphasized in traversing the rejection of Claim 1 and, therefore, are also patentable over the cited references. Claims 2-6, 8-12, and 14-24 depend from Claims 1, 7, and 13, respectively. These claims are patentable at a minimum due to their dependence from allowable base claims.

Accordingly, the Applicants respectfully request withdrawal of the § 103 rejection.
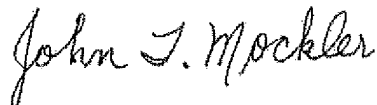
CONCLUSION

As a result of the foregoing, the Applicants assert that the remaining claims in the Application are in condition for allowance, and respectfully request that this Application be passed to issue.

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicants respectfully invite the Examiner to contact the undersigned at the telephone number indicated below or at *jmockler@munckcarter.com*.

The Commissioner is hereby authorized to charge any fees connected with this communication (including any extension of time fees) or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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